

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH RODRIGUEZ : CIVIL ACTION  
: :  
: v. :  
: :  
CITY AND COUNTY OF : NO. 15-4973  
PHILADELPHIA, ET AL :  
:

**ORDER**

**AND NOW**, this 16th day of June, 2016, upon consideration of the Motion to Dismiss filed by Defendants City and County of Philadelphia and Police Commissioner Ramsey (Docket No. 5), and all documents filed in connection therewith, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

1. The Motion is **GRANTED** as to the claims asserted against the City and County of Philadelphia in Counts I, II, and VII of the First Amended Complaint and those claims are **DISMISSED** as against the City and County of Philadelphia.
2. The Motion is **GRANTED** as to the claims asserted against Commissioner Ramsey in Counts I, II, VII, VIII, IX, and X of the First Amended Complaint and those claims are **DISMISSED** as against Commissioner Ramsey.
3. The Motion is **DENIED** in all other respects.
4. Plaintiff may file a Second Amended Complaint that cures the deficiencies in the First Amended Complaint no later than July 1, 2016.

BY THE COURT:

/s/ John R. Padova

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John R. Padova, J.

